



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,218	08/22/2001	Robert F. Henrick	10466-005	8699
20583	7590	08/12/2005	EXAMINER	
JONES DAY 222 EAST 41ST ST NEW YORK, NY 10017			HU, JINSONG	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/935,218

Applicant(s)

HENRICK ET AL.

Examiner

Jinsong Hu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 6-66 is/are rejected.
- 7) ☒ Claim(s) 3-5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

2

DETAILED ACTION

1. Claims 1- 66 are presented for examination. Claim 49 has been amended.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 6-14, 16, 21, 32, 38-45 and 49-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anupam et al. (US 6,360,250) in view of Ohkado et al. (US 6,668,276).

4. As per claims 1-2, 6-7, 9-10, 32 and 38, Anupam teaches the invention substantially as claimed including a method for enhancing an existing communication session by providing collaborative browsing [col. 1, lines 10-14], comprising:

establishing a collaborative browsing session between a first participant and a second participant, the first participant participating in the collaborative browsing session via a first device and the second participant participating in the collaborative browsing session via a second device [Fig. 1; col. 3, lines 5-14; col. 4, line 65 – col. 5, line 17];

creating a set of instructions for duplicating the first participant's browsing experience for the second participant [col. 2, line 64 – col. 3, line 3; col. 4, lines 25-49];

transmitting the set of instructions from the first device to the second device and using the received set of instructions to duplicate the first participant's browsing experience for the second participant [col. 3, lines 38-47; col. 13, lines 7-12].

5. Anupam also discloses a step of analyzing HTTP requests on a collaboration control device [104, Fig. 1; col. 4, lines 50- 64]. Anupam does not specifically point out that the analyzing step is performed on the first device. However, Ohkado on the other hand teach analyzing the request on the first device [col. 12, lines 43-56; col. 13, lines 25-46]. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Anupam and Ohkado because utilizing Ohkado's analyzing step in Anupam's system would simplifier the collaborating procedure by eliminating other processor's involvement. One of ordinary skill in the art would have been motivated to modify Anupam's system with Ohkado's analyzing step to increase the efficiency of entire system.

6. As per claim 8, Anupam teaches the second participant is informed when the third participant joins the session [col. 4, lines 64-67].

7. As per claims 11-14, Anupam teaches the first participant has a dedicated Web page from which a participant may initiate or join a collaborative session and a chat

window is provided to allow the participants to communicate in real time as part of the collaborative browsing session [col. 2, line 65 – col. 3, line 14; col. 3, line 54 – col. 4 line 5].

8. As per claim 16, Anupam teaches an application sharing program is initiated during the collaborative browsing session at a participant's request [col. 4, lines 50-64].

9. As per claim 21, Anupam teaches the first participant designates the session public and specifies a topic for the session, and wherein other participants find and join the session by going to a Web site [col. 3, lines 24-53; col. 4, lines 36-49].

10. As per claims 39-40, Anupam teaches the software receives HTTP-request notifications from a browser running on the first device via the browser API [col. 3, lines 15-20].

11. As per claim 41, since the claim discloses the same limitation as claim 1 from different prospector [i.e., server side], it is rejected for the same basis as claim 1 above.

12. As per claims 42-45, Anupam teaches the step of determining whether a URL that is the subject of an HTTP request is a top-level URL for a Web page; and if the URL that is the subject of the HTTP request is a top-level URL for a Web page, transmitting the requested URL immediately to the second device and if the URL that is

Art Unit: 2154

the subject of the HTTP request is not a top-level URL, then: identifying a highest-level frame in the browser display that has a new URL; transmitting the new URL and an identifier for the highest-level frame to the second device [col. 4, line 50 – col. 5, line 17].

13. As per claim 49-54, since they are system claims of claims 1-14, they are rejected for the same basis as claims 1-14 above.

14. Claims 15, 22-25, 30-31, 55 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anupam et al. (US 6,360,250) in view of Ohkado et al. (US 6,668,276), further in view of Rust (US 6,535,909).

15. As per claims 15, 22-25 and 30-31, Anupam and Ohkado teach the invention substantially as claimed in claim 1. Both references do not specifically disclose a media stream is encountered as part of a collaborative browsing session, media players of all participants are synchronized to the same relative time in the media stream and the media stream on the media players of all participants remain synchronized as one or more participants play, pause, rewind, or fast forward the media stream. However, Rust on the other hand teaches the multimedia stream is a part of a collaborative browsing session and play the multimedia stream [col. 10, lines 52-64]. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Anupam/Ohkado and Rust because utilizing Rust's multimedia

Art Unit: 2154

stream in the combination system of Anupam and Ohkado would make the collaboration session more attractive by enabling user to view multimedia file. One of ordinary skill in the art would have been motivated to modify the combination system of Anupam and Ohkado with Rust's multimedia stream to improve the functionality of the system.

16. As per claims 55 and 60, since they are system claims of claims 15 and 30, they are rejected for the same basis as claims 15 and 30 above.

17. Claims 17-20, 26-29, 33-37, 46-48, 56-59 and 61-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anupam et al. (US 6,360,250) in view of Ohkado et al. (US 6,668,276), further in view of "Official Notice".

18. As per claims 17-20, Anupam and Ohkado teach the invention substantially as claimed in claim 1. Both references do not specifically disclose the first participant is provided with control of the participation capabilities of one or more other participants. "Official Notice" is taken that both the concept and advantages of providing for first participant's control capability is well known and expected in the art. It would have been obvious to a person of ordinary skill in the art include participant's control capability with the combination system of Anupam and Ohkado because it would improve the integrity of the system by enabling the session creator to manage the collaborating process.

Art Unit: 2154

19. As per claims 26-28, Anupam and Ohkado teach the invention substantially as claimed in claim 1. Both references do not specifically disclose collaborative browsing via fire-wall and different languages. "Official Notice" is taken that both the concept and advantages of providing for fire-wall and language-translation are well known and expected in the art. It would have been obvious to a person of ordinary skill in the art include fire-wall and language-translation with the combination system of Anupam and Ohkado because it would increase the security level of the system and attract more global users.

20. As per claim 29, Anupam and Ohkado teach the invention substantially as claimed in claim 1. Both references do not specifically disclose a URL-filtering server is used to block objectionable sites from the collaborative browsing session. "Official Notice" is taken that both the concept and advantages of providing for URL-filtering are well known and expected in the art. It would have been obvious to a person of ordinary skill in the art include URL-filtering with the combination system of Anupam and Ohkado because it would make the session management less complicated by eliminating connecting to those prohibited web sites or resources.

21. As per claims 33-35, Anupam and Ohkado teach the invention substantially as claimed in claim 1. Both references do not specifically disclose the device is cellphone, PDA etc. "Official Notice" is taken that both the concept and advantages of providing for cellphone, PDA etc. are well known and expected in the art. It would have been obvious

Art Unit: 2154

to a person of ordinary skill in the art include cellphone, PDA etc. with the combination system of Anupam and Ohkado because it would improve the flexibility of the system by allowing user selecting a device he/she preferred.

22. As per claims 36 and 37, Anupam and Ohkado teach the invention substantially as claimed in claim 1. Both references do not specifically disclose the collaborating content adapted to different device type. "Official Notice" is taken that both the concept and advantages of providing for different viewing format are well known and expected in the art. It would have been obvious to a person of ordinary skill in the art include different viewing format with the combination system of Anupam and Ohkado because it would bring convenience to users by providing the corresponding content format to fit in their devices.

23. As per claims 46 and 47, Anupam and Ohkado teach the invention substantially as claimed in claim 1. Both references do not specifically disclose a timer is set as a function of the average time and standard deviation to complete an HTTP request. "Official Notice" is taken that both the concept and advantages of providing for timer is well known and expected in the art. It would have been obvious to a person of ordinary skill in the art include timer with the combination system of Anupam and Ohkado because it would increase the throughput of the system by avoiding spending too long time for processing one request.

Art Unit: 2154

24. As per claim 48, Anupam teaches recording the URLs of each frame in the browser's display before the HTTP request is completed; recording the URLs of each frame in the browser's display after the HTTP request is completed; and comparing results of the first recording to results of the second recording [col. 4, line 25 – col. 5, line 17].

25. As per claims 56-59 and 61-66, since they are system claims of claims 27-29 and 33-36, they are rejected for the same basis as claims 27-29 and 33-36 above.

Allowable Subject Matter

26. Claims 3-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

27. Applicant's arguments filed on 5/13/05 for claims 1-2 and 6-66 have been fully considered but they are not deemed to be persuasive.

In the remarks, applicant argued in substance that (1) Ohkado does not teach the customer terminal is configured to analyze HTTP requests; (2) Three references do not teach peer-to-peer communication system.

Art Unit: 2154

28. Examiner respectfully traverses applicant's remarks:

A. As to point (1), applicant fails to consider the teaching of Ohkado for analyzing the request on the first device [col. 12, lines 43-56; col. 13, lines 25-46], i.e., the agent will analyze the request first, then give the following instruction to the requester.

B. As to point (2), there is no claim language directs to the system is a peer-to-peer communication system.

Thus, Anupam, Ohkado and Rust are still relevant prior art.

29. Accordingly, THIS ACTION IS MADE FINAL. See MPEP §706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

30. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2154

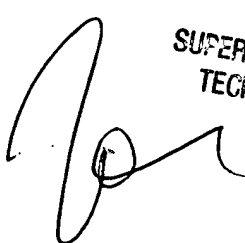
31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (571) 272-3965. The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jinsong Hu

July 27, 2005


JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100